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SEP 1 0 2004

Attorney's Docket 070441-0274072 Client Reference: A0000133

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation No: 5820

PETER J WOOLF ET AL.

Application No.: 09/778,956

Group Art Unit: 1631

Filed: February 8, 2001

Examiner: Marschel

Title: A METHOD OF ANALYZING GENE EXPRESSION DATA USING FUZZY

LOGIC

09-10-04

**Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

# CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

Amendment Amendment Transmittal Summary of Telephonic Interview Fee Transmittal

PILLSBURY WINTHROP LLP

KERRY T. HARTMAN

Reg. No. 41818

Date: September 10, 2004

P.O. Box 10500 McLean, VA 22102

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(Certification of Facsimile Transmission-page 1) 30478625v1

703-905-2500

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PTO/SB/17 (10-03)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no possons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known FEE TRANSMITTAL 09/778,956 Application Number Filing Date February 8, 2001 for FY 2004 PETER J WOOLF First Named Inventor Effective 10/01/2003. Patent fees are subject to annual revision. Examiner Name Marschel Applicant claims small entity status. See 37 CFR 1.27 Art Unit 1631 TOTAL AMOUNT OF PAYMENT (\$) 72.00070441-0274072 Attorney Docket No. METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) 3. ADDITIONAL FEES Moncy Check Credit card <u>Large Entity , Small Entity</u> X Deposit Account Fee (\$) Fee Code Fee Description Fee Paid Deposit 033975 1051 130 2051 65 Surcharge - late filing fee or oath Number Deposit Account 25 Surcharge - late provisional filing fee or cover sheet 1052 50 2052 PILLSBURY WINTHROP LLP 130 Non-English specification 1053 130 1053 The Director is authorized to: (check all that apply) 1812 2,520 1812 2,520 For filling a request for ex parte reexamination Charge fee(s) indicated below X Credit any overpayments 920\* Requesting publication of SIR prior to Examiner action 9201 1804 1804 X Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee 1805 1,840\* 1806 1,840\* Requesting publication of SIR after Examiner action to the above-identified deposit account. 2251 55 Extension for reply within first month 1251 110 FEE CALCULATION 210 Extension for reply within second month 1252 420 2252 1. BASIC FILING FEE 1253 950 2253 475 Extension for reply within third month arge Entity Small Entity Fee Paid Fee Description 1254 1,480 740 Extension for reply within fourth month Fee Fee Code (\$) 2254 Fee Fee Code (\$) 1,005. Extension for reply within fifth month 1255 2.010 2255 Utility filing fee 2001 385 1001 770 1401 330 2401 165 Notice of Appeal 1002 340 2002 170 Design filing fee 330 2402 165 Filing brief in support of an appeal 2003 265 Plant filing fee 1402 1003 530 2403 145 Request for oral hearing 1403 290 1004 770 2004 385 Reissue filing fee 1451 1451 1.510 1.510 Petition to institute a public use proceeding Provisional filing fee 1005 160 2005 80 1452 110 2452 55 Petition to revive - unavoidable SUBTOTAL (1) (\$) 0.00 1453 1.330 2453 665 Petition to revive - unintentional 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1,330 2501 665 Utility issue fee (or relssue) Extra Claires -20\*\* = 4 x 1502 480 2502 240 Design Issue fee below 18 2503 320 Plant issue fee 1503 640 Independent Claims 5 ٦x 1460 130 1460 130 Petitions to the Commissioner Multiple Dependent 50 Processing fee under 37 CFR 1.17(q) 50 1807 1607 Large Entity r Small Entity 180 1806 180 Submission of Information Disclosure Strit 1806 Fee Description 40 Recording each patent assignment per property (times number of properties) Code (\$) Code (\$) 40 8021 8021 Claims in excess of 20 1202 18 2202 385 Filing a submission after final rejection (37 CFR 1.129(a)) 1809 770 2809 1201 86 2201 43 Independent claims in excess of 3 385 For each additional invention to be examined (37 CFR 1.129(b)) Multiple dependent claim, if not paid 770 2810 1810 1203 290 2203 145 Reissue independent claims over original patent 2204 43 1204 88 1801 770 2801 385 Request for Continued Examination (RCE) 900 Request for expedited examination of a dealgn application 900 1802 Reissue claims in excess of 20 and over original patent 1802 1205 18 2205 \$UBTOTAL (2) (\$) 72.0 For number previously paid, if greater, For Relasues, see above Other fee (specify) 72.00 Reduced by Basic Filing Fee Paid 0.00 SUBTOTAL (3) (\$) (Complete *(dapplicable*) Registration No. 41818 Telephone (703) 905-2085 Name (Print/Type) Kerry T. Hartman September 10, 2004

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WARNING: Information on-this form, Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FIEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

#### FEES

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE			ADDIT. FEE		
TOTAL	45		41	=	4	X	\$	18.00	=	_\$_	72.00
INDEP.	5		5	_ =	0	x	\$	86.00	=	\$	0.00
FIRST P	RESENTATION	OF MU	JLTIPLE	DEP.	CLAIM		+ \$\$	290.00	=	\$	0.00
TOTAL ADDITIONAL CLAIM FEE										\$	72.00
GRAND TOTAL										\$	72.00

# **FEE PAYMENT**

Authorization is hereby made to charge the amount of \$72.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: September 10, 2004

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KERRY T. HARTMAN

Reg. No. 41818

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